

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Interview Summary	Application No.	Applicant(s)
	09/265,606	ZIMMERMANN ET AL.
	Examiner	Art Unit
	Marjorie A. Moran	1631

All participants (applicant, applicant's representative, PTO personnel):

- (1) Marjorie A. Moran. (3) _____
 (2) Norman Hanson. (4) _____

Date of Interview: 27 July 2001.

Type: a) Telephonic b) Video Conference
 c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
 If Yes, brief description: _____.

Claim(s) discussed: 5.

Identification of prior art discussed: None.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

- i) It is not necessary for applicant to provide a separate record of the substance of the interview(if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The examiner informed Mr. Hanson that while his arguments with respect to activity of the fusion protein were convincing, the utility of the fusion protein was still in question for reasons not related to activity. In addition, the examiner stated that there were some new matter problems with regard to the preliminary amendment filed 3/10/99 which had not previously been addressed. The examiner also stated that she did not agree with the previous examiner that the issues under 35 USC 112 regarding of the catalytic domain had been resolved. The examiner apologized for the confusion and loss of time to applicants, and agreed that applicants were entitled to a refund of pendency time and filing fees. The examiner stated that for the reasons set forth herein, prosecution will be reopened.

MICHAEL P. WOODWARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600